

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MEMORANDUM OPINION AND ORDER

On January 10, 2023, the magistrate judge entered a report recommending that the court deny Defendant Akeem Edmonds's motion for summary judgment on Plaintiff Tyrone Brooks's Eighth Amendment excessive force claim. (Doc. 22). Although the magistrate judge advised the parties of their right to file specific written objections within fourteen days and the consequences of a failure to object (*id.* at 21–22), neither party has filed any objections.

The parties' failure to file specific objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the magistrate judge's report and **ACCEPTS** the recommendation.

Accordingly, the court **DENIES** Defendant Edmonds's motion for summary judgment on Mr. Brooks's Eighth Amendment excessive force claim. (Doc. 18).

Mr. Brooks's complaint also sought injunctive relief in the form of release from segregation to the general population at Donaldson Correctional Facility. (Doc. 1 at 5). However, as the magistrate judge correctly explained, Mr. Brooks's transfer from Donaldson Correctional Facility to Holman Correctional Facility rendered moot any claim concerning Mr. Brooks's housing at Donaldson. (*See* Doc. 22 at 1–2 n.1). Therefore, the court **DISMISSES** as **MOOT** Mr. Brooks's request for injunctive relief.

The court **REFERS** Mr. Brooks's Eighth Amendment excessive force claim against Defendant Edmonds to the magistrate judge for further proceedings.

DONE and **ORDERED** this February 7, 2023.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE